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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,143	08/25/2003	Richard Harvey	063170.6610	3235
5073 7590 04/04/2008 BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980				
EXAMINER CUMARASEGARAN, VERN				
ART UNIT 3629		PAPER NUMBER		
NOTIFICATION DATE 04/04/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/648,143

Applicant(s)

HARVEY ET AL.

Examiner

VERN CUMARASEGARAN

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-850)
- Paper No(s)/Mail Date 2/15/2008, 12/17/2007
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-6 are rejected under 35 U.S.C. 101 because the method and code describe an abstract idea of "reflecting" one business service under another business service, with no tangible result. Furthermore claims 4-6 describe a programming code and since programming code is considered non-statutory subject matter, the elements of the claims are not given patentable weight.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 4 use the term "reflecting" and it is unclear what constitutes reflecting of one business service under another business service. For example, would a convenience store that houses an automatic teller machine (ATM) from a specific bank be infringing on the claim since the bank business entity is reflected under the convenience store

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business entity? Further clarification should be provided to define the boundaries of the scope of the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Sticha et al (Patent No.6,554,183 B1).

As to claims 1 and 4, Sticha et al show providing at least one first Business Service under a first Business Entity (abstract, *where the acquiring bank is considered first Business Entity*); providing a Business Service Projection under a second Business Entity, the Business Service Projection (*examiner interprets the term "Business Service Projections" to be a business service as described in the specification*) reflecting the at least one first Business Service under the second Business entity (Fig. 4 *where a second Business Entity is considered to be an issuing bank. The service of the acquiring bank such as the payment of merchant for the transaction is projected under the issuing bank. Although the card is issued by the issuing bank, when the customer makes a*

purchase, the payment to the merchant is actually made by an acquiring bank, a different business entity.)

As to claims 2 and 5, Sticha et al show representing an alternative name (Fig.4 "Mastercard"), including representing the alternative name by a Directory technology alias feature (col.4 lines 23-33 *where pre-authorization information is stored in databases. Directory technology is interpreted to be a database*).

As to claims 3 and 6, Sticha et al show alias feature being embodied in an alias object including a naming attribute with a value being an alternative name (Mastercard) and including an alias object name with a value being a name of Directory object to which the alias points (col.4 lines 33-47 *where when a file is sent from vendor relations system over a communication link to the pre-authorization system database, it is inherent that a pointer to the database would be included in the file*).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Postrel, Richard US 20050149394 A1 Method and system for issuing, aggregating and redeeming merchant loyalty points with an issuing bank

Flitcroft; Daniel I. et al. US 7136835 B1 Credit card system and method

Brown, Kyle Gene et al. US 20050209984 A1 Method and apparatus for alternative registry lookup of web services

Gadbois; David Gregory et al. US 7302439 B2 Information model
mapping with shared directory tree representations

Bou-Ghannam; Akram A. et al. US 20060143229 A1 Method and system
for dynamic creation of service flows

Yeh, Danny Lo-tien et al. US 20040059722 A1 Method and apparatus for
discovery of dynamic network services

Heller, Rainer et al. US 20050262227 A1 Directory service in an
automation system

Any inquiry concerning this communication or earlier communications from
the examiner should be directed to VERN CUMARASEGARAN whose telephone
number is (571)270-3273. The examiner can normally be reached on Monday -
Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the
examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax
phone number for the organization where this application or proceeding is
assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vc

/John G. Weiss/
Supervisory Patent Examiner, Art Unit 3629